

Senate Study Bill 3014

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
HUMAN SERVICES BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to dependent adult abuse including the
2 confidentiality of and access to dependent adult abuse
3 information.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5358DP 81
6 rh/je/5

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1 1 Section 1. Section 235B.2, subsection 4, Code Supplement
1 2 2005, is amended to read as follows:
1 3 4. "Dependent adult" means a person eighteen years of age
1 4 or older who is unable to protect the person's own interests
1 5 or unable to adequately perform ~~or obtain~~ services necessary
1 6 to meet essential human needs, as a result of a physical or
1 7 mental condition which requires assistance from another, or as
1 8 defined by departmental rule.
1 9 Sec. 2. Section 235B.6, subsection 1, Code Supplement
1 10 2005, is amended to read as follows:
1 11 1. Notwithstanding chapter 22, the confidentiality of all
1 12 dependent adult abuse information shall be maintained, except
1 13 as specifically provided by subsections 2 and 3. The
1 14 ~~department shall not reveal the identity of the reporter of~~
1 15 ~~dependent adult abuse unless otherwise ordered by the court.~~
1 16 Sec. 3. Section 235B.6, subsection 2, paragraph c, Code
1 17 Supplement 2005, is amended by adding the following new
1 18 subparagraph:
1 19 NEW SUBPARAGRAPH. (9) An employee or agent of the
1 20 department authorized to conduct record checks pursuant to
1 21 section 237A.5.

EXPLANATION

1 23 This bill relates to dependent adult abuse in regard to the
1 24 definition of a dependent adult, the confidentiality of
1 25 dependent adult abuse information, and persons authorized to
1 26 access dependent adult abuse information.
1 27 The bill amends the definition of a dependent adult to
1 28 provide protection for adults who are reliant on others to
1 29 meet their basic needs, but who still have the capability of
1 30 obtaining services to meet those needs. Current law excludes
1 31 such persons who are able to obtain such services.
1 32 The bill provides that the department of human services
1 33 shall not disclose the identity of a dependent adult abuse
1 34 reporter unless otherwise ordered by the court.
1 35 The bill allows an employee or agent of the department of
2 1 human services authorized to conduct record checks for child
2 2 care providers access to the dependent adult abuse registry.
2 3 LSB 5358DP 81
2 4 rh:nh/je/5